

REMARKS

The above listing of the claims supersedes any previous listing. Favorable reexamination and reconsideration are respectfully requested in view of the preceding amendments and the following remarks.

Interview Summary

The examiner is thanked for the interview held on December 22, 2009 in connection with the above-identified application. At this interview it was explained that the object of the Tokita et al. reference is to recover the sheet, whereas the object of the claimed invention is to recover the IC chip. The Examiner indicated that the apparatus of Tokita et al. is capable of removing an IC chip from an IC tag.

Adding limitations directed to the fractionator 16, and how it removes the IC tag from the paper material, where the IC tag falls to the bottom of the tank 17 and the paper components float at the top and are collected in the separator 19, was discussed. However, no specific claim amendments were proposed.

The Examiner agreed that fractionator 16 in the application operates and performs differently than that of Tokita et al and Vickers, nevertheless noted that these differences have not yet been included in the claims.

Claim amendments/Status

Claims 1-20 have been cancelled and claims 21-34 and 37-40 stand withdrawn from consideration. Claims 35-36 and 41-42 have been reviewed/amended and new claims 43-45 have been added. The newly presented claims 43-45 find support in the originally filed specification and drawings. For example, the sluiceway-like arrangement is deemed supported by the structure illustrated in Fig. 2.

The amendments to the claims are submitted as overcoming the rejection of claims under 35 USC § 103(a) based on Tokita et al. and Vickers, for at least the reasons discussed *supra*.

Conclusion

The examined and newly added claims are submitted as being patentable over the cited art and reexamination and reconsideration are respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 11-0219 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in black ink that reads "Kenneth M. Berner". The signature is written in a cursive, flowing style.

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